

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MICHAEL DEEM,

Plaintiff,

v.

LORNA DIMELLA-DEEM, ROBERT J. FILEWICH, PHD,
ANGELINA YOUNG, ROLLIN AURELIEN,
ROBIN D. CARTON, ESQ., FAITH G. MILLER, ESQ.,
ANGELA DIMELLA, JANE DOE and
HON. ARLENE GORDON-OLIVER, F.C.J.,

Defendants.
-----X

18-CV-6186 (NSR)(PED) S.D. OF N.Y.

**AFFIDAVIT IN SUPPORT OF
EMERGENCY EX PARTE
ORDER TO SHOW CAUSE
FOR A WRIT OF
SEQUESTRATION OR
IN THE ALTERNATIVE FOR
LIMITED EXPEDITED
DISCOVERY**

Plaintiff Michael Deem, *Pro Se*, shows the Court:

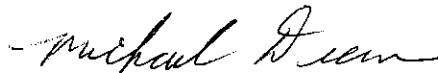
1. I am the plaintiff in the above-entitled action and submit this affidavit in support of my *Ex Parte* Order to Show Cause for a Writ of Sequestration, or in the alternative, for Limited Expedited Discovery.
2. As stated in the verified complaint, on June 28, 2018, Defendant Robert J. Filewich, PhD, stated to me, "I [Dr. Filewich] gave them a summary of the file and a confirmed diagnosis of Paranoid Personality Disorder."
3. The last time I ever met or spoke with Dr. Filewich, except for June 28, 2018 to inquire about my file, was on October 18, 2017. The purpose of that meeting was a marriage counseling session with my wife, Defendant Lorna DiMella-Deem, Dr. Filewich and me in attendance.
4. As demonstrated by excerpts of the transcript of the last marriage counseling session, Dr. Filewich's "summary of the file and a confirmed diagnosis of Paranoid Personality Disorder" are affirmative misrepresentations. Ex. 1.

5. Said file is necessary to prove Plaintiff's allegations in the complaint and to rebut Defendants allegations.

6. I have grave concerns that Dr. Filewich will try to alter or destroy the file to cover-up his unconstitutional, and perhaps criminal, misconduct.

7. Therefore, I respectfully request that this Court order the U.S. Marshal's Service to obtain the complete file from Dr. Filewich and deposit it with the Court for safekeeping, until the parties can be heard on the discoverability and release of said file to Plaintiff.

Dated: Yonkers, New York
July 13, 2018



Michael Deem, Pro Se
26 Keystone Road
Yonkers, NY 10710
914-482-3867
deem1779@gmail.com

CERTIFICATION

I am the plaintiff in the above entitled action. I have read the Complaint and declare under penalty of perjury that the foregoing is true and correct. 28 U.S.C. §1746.

Executed on July 13, 2018.



Michael Deem

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

**Final Marriage Counseling Session
with Michael Deem, Lorna Deem, and
Robert J. Filewich, Ph.D., Held on
October 18, 2017**

Ex. 1

1 [START RECORDING]

2 MR. MICHAEL DEEM: Hey. How are you?

3 DR. ROBERT FILEWICH: Hey. I'm glad you
4 showed up.

5 MR. DEEM: How's it going?

6 DR. FILEWICH: Good.

7 MS. LORNA DEEM: How's it going?

8 DR. FILEWICH: Do you have a goal in mind
9 today?

10 MR. DEEM: Nope.

11 DR. FILEWICH: Okay. So, there's another
12 diagnosis that, um, I'm considering. I know you
13 don't like labels.

14 MR. DEEM: And what's that?

15 MS. DEEM: He still thinks it's--

16 MR. DEEM: [Interposing] Hold on.

17 MS. DEEM: --me though.

18 MR. DEEM: Hold on.

19 MS. DEEM: He still thinks it's me though,
20 so, like--

21 DR. FILEWICH: [Interposing] Why don't you,
22 when you get this feeling or upset--

23 MR. DEEM: [Interposing] No. Right.

24 DR. FILEWICH: --does it feel as though
25 there's a voice inside your head? Like, an

1 intrusive thought? That comes and says she's
2 cheating on you or sleeping with somebody or,
3 and it's, like, it hits you and you get really
4 upset about it and then you have to search for
5 evidence to try to disprove it, so you can feel
6 better with things?

7 MR. DEEM: Nope. No. Last time, last time
8 we spoke, right, you, you said that, um, you
9 wanted to, you wanted me to come in so that we
10 can try to figure out certain things, maybe
11 tests to, to determine one way or another
12 whether she, she, in fact, is having affairs or
13 to put my, my mind at ease that she's not.

14 DR. FILEWICH: Okay. So I hear you and let
15 me address that. When I said that to you I
16 didn't consider the fact that this might be OCD.
17 If it is OCD, that won't help.

18 MR. DEEM: My OCD?

19 DR. FILEWICH: If you, if you have OCD.

20 MR. DEEM: Okay.

21 DR. FILEWICH: Then, and I'm not saying you
22 have it. I'm saying if you do--

23 MR. DEEM: [Interposing] Right.

24 DR. FILEWICH: --that won't work. If you
25 have paranoid personality, that will

1 consistently give you evidence against it, but
2 then you'll find some loophole to live in all
3 the time. So, I don't know whether or not you
4 can actually come up with incontrovertible
5 proof, which is why I said if it's paranoid
6 personality. Then you would have to use those
7 tried and true technique of saying that if you
8 don't have 99.999 percent surety of the fact
9 that it's true, then it's not true. So, you
10 know like, Lorna shared with me, like, you have
11 cameras, like, outside, in the trees and things
12 like that.

13 MR. DEEM: Right

14 DR. FILEWICH: And this has been going on
15 for a long time. So, if there was--

16 MR. DEEM: Not a long time, but yeah.

17 DR. FILEWICH: If there was any evidence
18 during the time that this has been going on you
19 would think that you would have found it by now.
20 I don't think she's that good at hiding things.
21 So, if--

22 MR. DEEM: [Interposing] What makes you say
23 that?

24 DR. FILEWICH: Hmm?

25 MR. DEEM: What makes you say that?

1 DR. FILEWICH: Because you're pretty good
2 at being scrutinizing. You've got a lot of
3 things going on and a lot of ways of checking it
4 out and when you call her at the most bizarre
5 time and she answers the phone and it's not
6 true, you do it over and over and over again
7 until she--

8 MR. DEEM: [Interposing] But how do you know
9 that it's not true though? How do you know that
10 it's not true?

11 DR. FILEWICH: I don't.

12 MR. DEEM: What about the possibility,
13 because--

14 DR. FILEWICH: [Interposing] But I assume--

15 MR. DEEM: --we, we--

16 DR. FILEWICH: [Interposing] --I assume it's
17 not true, because there's nothing that you've
18 ever come up with, there's nothing you've ever
19 done that has shown that to be the case. And,
20 therefore--

21 MR. DEEM: [Interposing] So you, so you--

22 DR. FILEWICH: --as a psychologist treating
23 people who are like this and present to me like
24 this for 37 years--

25 MR. DEEM: [Interposing] From in my case or,

1 or in her case?

2 DR. FILEWICH: Your case.

3 MR. DEEM: In my case? Okay.

4 DR. FILEWICH: Yeah. You are not the first
5 person that has presented this to me.

6 MR. DEEM: Okay.

7 DR. FILEWICH: Right. It either turns out
8 to be paranoid personality or it turns out to be
9 that you have this intrusive thought that comes
10 into your head and goes--

11 MR. DEEM: [Interposing] That's, hold on,
12 hold on. That, that's, if it's me, no. That's
13 if it's me, right? There's also the real
14 possibility, which, I don't know if you've
15 discounted this completely--

16 DR. FILEWICH: [Interposing] There's not a
17 real possibility.

18 MR. DEEM: There's a possibility.

19 DR. FILEWICH: There's a very, very slight
20 possibility.

21 MR. DEEM: That, and what am I about to say?

22 MS. DEEM: Why? I don't present that way.
23 Is there something--

24 DR. FILEWICH: [Interposing] That she is
25 actually doing these things.

1 MR. DEEM: Okay. A slight possibility.

2 What makes you say slight possibility?

3 DR. FILEWICH: Because the evidence that's
4 presented to me doesn't set off any red flags
5 like the evidence that you presented to me.
6 This is not saying there's anything wrong with
7 you. I'm saying that in the brain with OCD
8 there's this thing called the locus coeruleus
9 and - -. And though we have thoughts, let me
10 explain it to you, just so you can see and maybe
11 this is the case, maybe it's not. Every one of
12 us has a - - all the time. Some crazy thoughts.
13 Like, if I sit on that sofa where someone else
14 has sat less than a minute after they've gotten
15 up, I'm going to assume their personality
16 traits. They know that that's not true. It's
17 not crazy. It's silly. You know it's not true,
18 but superstitiously they believe that and they
19 get anxious and they have to do something like
20 tap three times each hand and now they feel
21 better. Or, they have to go ask somebody is
22 that true or do you love me and they have to ask
23 it three times. You love me, right? Yes. Is
24 it true you love me? Yes. Okay. I can assume
25 you love me, right? Yes. Okay. They have to

1 DR. FILEWICH: --if this is not paranoia,
2 it's OCD, it's a different ballgame and we can
3 just do a different experiment by saying, hey,
4 why don't you just accept the fact that your
5 wife is having an affair and say my wife is
6 having an affair, having an affair, and I'm not
7 gonna even look, but I know. She's fucking
8 somebody in the bedroom right now. I know she
9 fucked him in the garage. Okay. She fucked him
10 in the garage, but okay. 100 times. See how
11 you feel afterwards.

12 MR. DEEM: I feel just like this.

13 MS. DEEM: We agreed and we talked about
14 this. Who we are and it's either me or--

15 MR. DEEM: [Interposing] But it wouldn't be
16 your fault if it was you and you would need
17 meds, right, or it's me and it wouldn't be my
18 fault and I would need meds. That's what we
19 both said.

20 MS. DEEM: Right. Okay. And you said--

21 MR. DEEM: [Interposing] Yeah. No, no, no,
22 not okay. That, that's what we said, right?

23 DR. FILEWICH: Michael, do you love, do you
24 love Lorna?

25 MR. DEEM: Hold on. Let's get through this.

1 Go ahead Lorna.

2 MS. DEEM: Okay. Whatever - -.

3 MR. DEEM: Did you, okay. Forget what I
4 said. Go on. Go on. You said it was either
5 you--

6 MS. DEEM: [Interposing] So it's either me--

7 MR. DEEM: [Interposing] Right.

8 MS. DEEM: --and if it's not me then it must
9 be you.

10 MR. DEEM: Right.

11 MS. DEEM: Either, either I'm doing all
12 these horrible things or you're thinking that
13 I'm doing all of these horrible things, right.

14 MR. DEEM: Okay. So, you're either doing
15 them, right, and lying about them or I'm
16 thinking about them and they're not true and
17 then I would be either paranoia or OCD.

18 MS. DEEM: Okay. So, now here's me.

19 MR. DEEM: Right.

20 MS. DEEM: You said I must be a pathological
21 liar, we started talking about this because this
22 is a lot of lying I've been doing for the things
23 that you think I'm doing.

24 MR. DEEM: That's right. And swearing,
25 right.

1 MS. DEEM: Okay.

2 MR. DEEM: While lying and swearing, but go
3 on. Swearing to me is more important and more--

4 MS. DEEM: [Interposing] I don't know what
5 that means, but--

6 MR. DEEM: --significant.

7 MS. DEEM: Okay.

8 MR. DEEM: Go on.

9 DR. FILEWICH: Swearing what?

10 MS. DEEM: That I didn't do it or that I'm
11 cursing? What do you mean by swearing?

12 MR. DEEM: Swearing that you didn't do it.

13 MS. DEEM: Okay. So I--

14 MR. DEEM: [Interposing] You swore to god
15 and you swore on the children.

16 MS. DEEM: Okay. Stop, stop. Let me just
17 finish the thing, it's too much.

18 DR. FILEWICH: Do you think that you could
19 do that?

20 MS. DEEM: I can't. I can't do this. I
21 can't.

22 DR. FILEWICH: Do you think that she could
23 do that on the children's lives? See, he--

24 MR. DEEM: [Interposing] If she's the type
25 of person that, that I think she might be--

1 DR. FILEWICH: [Interposing] That has
2 nothing to do with it.

3 MS. DEEM: Okay.

4 DR. FILEWICH: Alright. Nothing. Nothing.
5 There's no logic, like she's trying to do right
6 now.

7 MS. DEEM: This is the pathological liar,
8 okay, that takes a lot of energy from me. Plus
9 just don't start with, don't start responding
10 yet. Just, just stop. Your opinion, your
11 belief. You've looked at phone records that
12 went back years.

13 MR. DEEM: No.

14 MS. DEEM: Years.

15 MR. DEEM: 13 months.

16 MS. DEEM: Okay, sorry. Over a year. Just
17 think about it. Don't answer. I just want you
18 to think about it. If I was doing something, I
19 have no idea - -. Most likely, don't start,
20 found something. I'm either a pathological liar
21 or I'm schizophrenic, because this is, this is
22 the exact opposite of the very essence of who I
23 am and--

24 DR. FILEWICH: [Interposing] But you knew
25 she, he was looking at it.

1 MS. DEEM: --or, right, that I knew you
2 were doing it, but you know and I know in your
3 head you know there's nothing about this that's
4 me. I'd have to be a completely opposite
5 personality to be doing all of the things you
6 think I'm doing and I'd have to be so good that
7 I'm a pathological liar that I came in the last
8 time, I came in by myself the last, with you the
9 last time, by myself the last time, two more
10 times, one time with you, and he did not do
11 nothing. He can't even figure out that I'm such
12 a pathological liar. That's how F-ing good I
13 am.

14 MR. DEEM: Dr. Filewich?

15 MS. DEEM: Yes. Sorry, I called you - -.
16 That was a little disrespectful.

17 DR. FILEWICH: Don't worry about it.

18 MS. DEEM: But, I didn't mean it. Yes. Dr.
19 Filewich has no idea, 'cause I've fooled him two
20 times and I didn't even know what we were in
21 here for and the last three times I've
22 completely baffled him and I really am a
23 pathological liar. Michael, I'm, there's,
24 there's nothing else that I can do now and it's
25 either me, and if it's not me, it has to be you.

1 We keep, there's nothing you, there's nothing.
2 It's not me. It's the exact opposite of
3 anything that I am. I'm not a liar. I don't
4 even like sex as much as you want me to and, and
5 you've got me everywhere. Do you understand? I
6 can't be this person. I can't be fooling
7 everyone. There's no reason for me to be doing
8 this.

9 DR. FILEWICH: Now, stop for a second.
10 Michael, what are you thinking right now?
11 Honestly, what are you thinking right now right
12 after she said that?

13 MR. DEEM: When did she change? 'Cause she
14 used to love sex that much and now she doesn't.

15 DR. FILEWICH: We're talking about loving
16 sex? What is she saying? Do you see whether
17 there's any reality to the fact that she's not
18 doing this or do you, are you 100 percent sure
19 she it?

20 MR. DEEM: I can't be 100 percent sure.

21 DR. FILEWICH: Okay. So, you're not, you're
22 not--

23 MR. DEEM: [Interposing] But more likely
24 than not.

25 DR. FILEWICH: You're not completely sure

1 conversation is. Don't pretend you don't.
2 Right now, don't pretend you don't think that
3 the conversation is good, 'cause right now
4 you're, you're in the bad mode, you are. Your
5 eyes say it. I can see it. You know you are.
6 You're not teetering anymore. Remember when you
7 told me the--

8 MR. DEEM: [Interposing] I'm either
9 paranoid--

10 MS. DEEM: [Interposing] No. Listen to me.
11 Listen to me. Okay. Babe, so it's okay. It's
12 not--

13 DR. FILEWICH: [Interposing] No, you're not
14 paranoid. You have paranoid thoughts.

15 MS. DEEM: Wait. Whether you're something
16 or not something, just listen, it's not a,
17 either way we're trying to make something
18 better. You know as well as I know it's a
19 rollercoaster. You can't handle it, you're
20 miserable, I can't handle it. When we came
21 here, if you weren't paranoid then I'm
22 schizophrenic and I'm a pathological liar and I
23 am jeopardizing my entire family and world.
24 That's okay for me to be all of those things,
25 but it's not okay for us to consider that it

1 could be you. So, now all anybody is saying
2 in this room is, Michael, you've got to find a
3 way to move forward, which is what you want.
4 You're miserable. You're upset. You can't
5 stand the rollercoaster. You go on breathing
6 heavy. You're trying so hard to hold it all
7 together. All we're saying is, well, let's try
8 to find a way to make you feel better, which in
9 the end makes me feel better, which makes us all
10 better. We'll be better. We have to do
11 something. I can't do anything else. There's
12 nothing for me to do. If there was something
13 for me to stop, I would have stopped it. But,
14 there's nothing for me to do. So now you have a
15 choice. You want us to stay together, which you
16 do. Don't even pretend you don't. 'Cause it's
17 not me. You want us to stay together, we need
18 to do something. No one told you to go on the
19 drug. He didn't say that. He said he wanted
20 you to do other things. Didn't he? You asked
21 what the drug would be and you asked in
22 response, because you want to be angry now and
23 you want to find a reason to leave. It's not
24 about pointing at you and saying you're so bad.
25 It's about us both sitting in this room and

1 saying, well, what are we going to do to make
2 it better, 'cause we both can't live like this,
3 Michael. We've talked about it. We cannot.
4 You're miserable and I'm losing my freaking
5 mind. There's a reason [background noise] do
6 this. What are you looking at your phone for?
7 What's going on? This is, this is, did you find
8 a picture of something?

9 MR. DEEM: I didn't find a picture of
10 something. I took a picture of something.

11 [Background Noise]

12 MS. DEEM: Oh, this is going to be
13 embarrassing.

14 MR. DEEM: It's going to be embarrassing.
15 Recognize those?

16 MS. DEEM: Yeah. What about them? Well, I
17 don't really recognize them, but okay. What?
18 What about them, Michael?

19 MR. DEEM: Your underwear that you worn
20 Saturday to TJ Maxx.

21 MS. DEEM: Yeah.

22 MR. DEEM: Yes.

23 DR. FILEWICH: What? They're underwear?

24 MR. DEEM: Yeah. That's right.

25 MS. DEEM: The underwear that I wore to TJ

1 Maxx.

2 MR. DEEM: Picture of your underwear from TJ

3 Maxx.

4 MS. DEEM: I can't. You see. I can't.

5 Okay.

6 MR. DEEM: Okay. This is, this is, tell me
7 if I'm paranoid or not.

8 MS. DEEM: Look at the pictures he has on
9 his phone.

10 MR. DEEM: Her underwear that she wore to TJ
11 Maxx, right. All, wait. Wait, there's
12 something on the front there. What is that?
13 What is that? Is that something that you
14 dripped from your cheeseburger or ice cream?

15 MS. DEEM: Michael.

16 MR. DEEM: Or is that someone else's semen
17 on your underwear?

18 MS. DEEM: Just--

19 MR. DEEM: [Interposing] How did that get
20 there?

21 DR. FILEWICH: Someone else's semen. Gotta
22 be.

23 MR. DEEM: How did it get there?

24 MS. DEEM: Oh, my god.

25 MR. DEEM: How did it get there? Can you